

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

Application 24758 Permit 18724 License

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE

WHEREAS:

1. Permit 18724 was issued to Arthur Andreotti on January 19, 1983 pursuant to Application 24758.
2. Permit 18724 was subsequently assigned to Indian Lake Investment.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
4. The permittee has proceeded with diligence and good cause has been shown for said extension of time.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 8 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 1998

(0000008)

2. Condition 9 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1999

(0000009)

Dated: **OCTOBER 11 1994**

Roger [Signature]
701 Edward C. Anton, Chief
Division of Water Rights

P18724

12-22-86 asgd to Bank of America, NT+SA

12-2-88 asgd to D. Donald Lorie, Jr.

6-7-93 Indian Lake Investors a/c General Partnership,
Chin Hai Lung, James H.S. & Joanna C.P. Lio;

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 24758 PERMIT 18724 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE
AND AMENDING THE PERMIT

WHEREAS:

1. Permit 18724 was issued to Authur Andreotti on January 19, 1983 pursuant to Application 24758.
2. Permit 18724 was subsequently assigned to D. Donald Lonie, Jr. Family Trust.
3. A petition for an extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board (Board).
4. The permittee has proceeded with diligence and good cause has been shown for said extension of time.
5. Standard Permit Condition requiring the development and implementation of a water conservation program or action should be added to the permit.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 8 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 1993

(0000008)

2. Condition 9 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1994

(0000009)

3. Condition 21 is added to this permit as follows:

Prior to making a request for license or before license action will be considered by the State Water Resources Control Board, permittee shall consult with the Division of Water Rights and perform an irrigation system evaluation. A report on the evaluation shall be prepared by a person trained or experienced in irrigation system design and management and shall be submitted to the Board for approval.

All cost-effective water conservation measures identified in the irrigation system evaluation report shall be implemented prior to issuance of a license. (000029C)

Dated: **APRIL 30 1992**


Edward C. Anton, Chief
Division of Water Rights

STATE OF CALIFORNIA
THE RESOURCES AGENCY
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

PERMIT FOR DIVERSION AND USE OF WATER

PERMIT 18724

Application 24758 of Arthur Andreotti

(over)

P. O. Box 298, Colusa, California 95932

filed on February 19, 1975, has been approved by the State Water Resources Control Board SUBJECT TO VESTED RIGHTS and to the limitations and conditions of this Permit.

Permittee is hereby authorized to divert and use water as follows:

1. Source:

Tributary to:

(1) Unnamed Stream

Indian Creek

(2) Indian Creek

Little Stony Creek thence

Stony Creek thence

Sacramento River

2. Location of point of diversion:	40-acre subdivision of public land survey or projection thereof	Section	Town- ship	Range	Base and Meridan
Storage In Reservoir No. 1 (1) North 3,067 feet and East 3,085 feet from SW corner of Section 35	SW $\frac{1}{4}$ of NE $\frac{1}{4}$	35	17N	6W	MD
Storage In Reservoir No. 1 (2) North 2,557 feet and East 3,519 feet from SW corner of Section 35	NW $\frac{1}{4}$ of SE $\frac{1}{4}$	35	17N	6W	MD

County of Colusa

3. Purpose of use:	4. Place of use:	Section	Town- ship	Range	Base and Meridan	Acres
Irrigation	SW $\frac{1}{4}$ of SW $\frac{1}{4}$	36	17N	6W	MD	40
	W $\frac{1}{2}$ of SW $\frac{1}{4}$	6	16N	5W	MD	35
	NE $\frac{1}{4}$ of NE $\frac{1}{4}$	11	16N	6W	MD	40
	E $\frac{1}{2}$ of SE $\frac{1}{4}$	2	16N	6W	MD	80
		7	16N	5W	MD	190
		12	16N	6W	MD	215
	NE $\frac{1}{4}$	13	16N	6W	MD	90
		1	16N	6W	MD	<u>510</u>
					Total	1200

The place of use is shown on map filed with the State Water Resources Control Board.

5. The water appropriated shall be limited to the quantity which can be beneficially used and shall not exceed 3,200 acre-feet per annum to be collected from November 1 of each year to April 30 of the succeeding year.

This permit does not authorize collection of water to storage outside of the specified season to offset evaporation and seepage losses or for any other purpose.

6. The amount authorized for appropriation may be reduced in the license if investigation warrants. (0000005)
(0000006)

7. Construction work shall begin within two years of the date of this permit and shall thereafter be prosecuted with reasonable diligence, and if not so commenced and prosecuted, this permit may be revoked. (0000007)

8. Construction work shall be completed by December 1, 1986. (0000008)

9. Complete application of the water to the authorized use shall be made by December 1, 1988. (0000009)

10. Progress reports shall be submitted promptly by permittee when requested by the State Water Resources Control Board until license is issued. (0000010)

11. Permittee shall allow representatives of the State Water Resources Control Board and other parties as may be authorized from time to time by said Board, reasonable access to project works to determine compliance with the terms of this permit. (0000011)

12. Pursuant to California Water Code Sections 100 and 275, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to prevent waste, unreasonable use, unreasonable methods of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to minimizing waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement such programs as (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation. (0000012) amended 1-10-89

13. The quantity of water diverted under this permit and under any license issued pursuant thereto is subject to modification by the State Water Resources Control Board if, after notice to the permittee and an opportunity for hearing, the Board finds that such modification is necessary to meet water quality objectives in water quality control plans which have been or hereafter may be established or modified pursuant to Division 7 of the Water Code. No action will be taken pursuant to this paragraph unless the Board finds that (1) adequate waste discharge requirements have been prescribed and are in effect with respect to all waste discharges which have any substantial effect upon water quality in the area involved, and (2) the water quality objectives cannot be achieved solely through the control of waste discharges. (0000013)

14. Permittee shall install and maintain an outlet pipe of adequate capacity in his dam as near as practicable to the bottom of the natural stream channel, in order that water entering the reservoir which is not authorized for appropriation under this permit may be released. (0050043)

15. Permittee shall install and maintain in his reservoir a staff gage meeting the approval of the State Water Resources Control Board for the purpose of determining water levels in the reservoir. Permittee shall supply the staff gage reading on or about October 1 of each year, verified by protestant U. S. Bureau of Reclamation or Orland Unit Water User's Association or their designated representative, to the State Water Resources Control Board. Permittee shall allow protestant or his designated representative reasonable access to the reservoir for the purpose of determining whether water should be released in accordance with this permit. In no event shall permittee be obligated to release water below the previous October staff gage reading.

(0100047)

16. Construction of the storage dam shall not be commenced until the Department of Water Resources has approved plans and specifications.

(0130049)

17. During any water years (October 1 of each year) when runoff, including water from the East Park Feeder Canal, entering East Park and Stony Gorge Reservoirs is insufficient to provide net collection to storage of the lesser amounts of either 51,000 acre-feet in East Park Reservoir and 50,200 acre-feet in Stony Gorge Reservoir, or water sufficient to fill those reservoirs to those storage levels by April 30, the permittee shall release water collected during the current storage season to flow downstream to East Park and Stony Gorge Reservoirs to satisfy such amounts. Net collection to storage in East Park Reservoir and Stony Gorge Reservoir shall include water sufficient to replace any water released from carry-over storage at those reservoirs. The permittee shall release said water at as high a rate as possible not to exceed the capacity of the stream channel. Also, between March 15 and October 15 of each year when inflow is being bypassed at East Park and Stony Gorge Reservoirs to fulfill downstream direct diversion rights, permittee shall bypass inflow to his reservoir. Nothing in this term shall require release of water legally collected during previous water years.

(0160400)

18. The State Water Resources Control Board reserves jurisdiction over this permit to change the season of diversion to conform to the results of a comprehensive analysis of the availability of unappropriated water in the Sacramento River Basin. Action to change the season of diversion will be taken only after notice to interested parties and opportunity for hearing.

(0000080)

19. This permit (license) is subject to prior rights. Permittee (licensee) is put on notice that during some years water will not be available for diversion during portions or all of the season authorized herein. The annual variations in demands and hydrologic conditions in the Sacramento River Basin are such that in any year of water scarcity the season of diversion authorized herein may be reduced or completely eliminated on order of this Board made after notice to interested parties and opportunity for hearing.

(0000090)

20. The permittee by accepting this permit agrees to subject storage and release of water under Application 24758 to the control of any watermaster appointed by a court of competent jurisdiction or by the State Department of Water Resources to regulate diversions within the Stony Creek watershed.

(0590300)

This permit is issued and permittee takes it subject to the following provisions of the Water Code:

Section 1390. A permit shall be effective for such time as the water actually appropriated under it is used for a useful and beneficial purpose in conformity with this division (of the Water Code), but no longer.

Section 1391. Every permit shall include the enumeration of conditions therein which in substance shall include all of the provisions of this article and the statement that any appropriator of water to whom a permit is issued takes it subject to the conditions therein expressed.

Section 1392. Every permittee, if he accepts a permit, does so under the conditions precedent that no value whatsoever in excess of the actual amount paid to the State therefor shall at any time be assigned to or claimed for any permit granted or issued under the provisions of this division (of the Water Code), or for any rights granted or acquired under the provisions of this division (of the Water Code), in respect to the regulation by any competent public authority of the services or the price of the services to be rendered by any permittee or by the holder of any rights granted or acquired under the provisions of this division (of the Water Code) or in respect to any valuation for purposes of sale to or purchase, whether through condemnation proceedings or otherwise, by the State or any city, city and county, municipal water district, irrigation district, lighting district, or any political subdivision of the State, of the rights and property of any permittee, or the possessor of any rights granted, issued, or acquired under the provisions of this division (of the Water Code).

Dated: JANUARY 19 1983

STATE WATER RESOURCES CONTROL BOARD

Raymond Wash

Chief, Division of Water Rights

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTS

ORDER

APPLICATION 24758 PERMIT 18724 LICENSE

ORDER APPROVING A NEW DEVELOPMENT SCHEDULE, AND AMENDING THE PERMIT

WHEREAS:

1. Permit 18724 was issued to Arthur Andreotti on January 19, 1983 pursuant to Application 24758.
2. Permit 18724 was subsequently assigned to D. Donald Lonie, Jr.
3. A petition for extension of time within which to develop the project and apply the water to the proposed use has been filed with the State Water Resources Control Board.
4. The permittee has proceeded with diligence and good cause has been shown for the extension of time.
5. Permit Condition 12 pertaining to the continuing authority of the Board should be updated to conform to Standard Permit Term 12 as contained in Section 780(a), Title 23 of the California Code of Regulations.

NOW, THEREFORE, IT IS ORDERED THAT:

1. Condition 7 of the permit be amended to read:

CONSTRUCTION WORK SHALL BE
COMPLETED ON OR BEFORE

December 31, 1991

(0000008)

2. Condition 8 of the permit be amended to read:

COMPLETE APPLICATION OF THE
WATER TO THE PROPOSED USE
SHALL BE MADE ON OR BEFORE

December 31, 1993

(0000009)

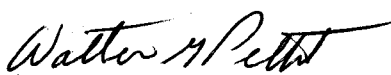
3. Condition 12 of the permit be amended to read:

Pursuant to California Water Code Sections 100 and 275, and the common law public trust doctrine, all rights and privileges under this permit and under any license issued pursuant thereto, including method of diversion, method of use, and quantity of water diverted, are subject to the continuing authority of the State Water Resources Control Board in accordance with law and in the interest of the public welfare to protect public trust uses and to prevent waste, unreasonable use, unreasonable method of use, or unreasonable method of diversion of said water.

The continuing authority of the Board may be exercised by imposing specific requirements over and above those contained in this permit with a view to eliminating waste of water and to meeting the reasonable water requirements of permittee without unreasonable draft on the source. Permittee may be required to implement a water conservation plan, features of which may include but not necessarily be limited to: (1) reusing or reclaiming the water allocated; (2) using water reclaimed by another entity instead of all or part of the water allocated; (3) restricting diversions so as to eliminate agricultural tailwater or to reduce return flow; (4) suppressing evaporation losses from water surfaces; (5) controlling phreatophytic growth; and (6) installing, maintaining, and operating efficient water measuring devices to assure compliance with the quantity limitations of this permit and to determine accurately water use as against reasonable water requirements for the authorized project. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such specific requirements are physically and financially feasible and are appropriate to the particular situation.

The continuing authority of the Board also may be exercised by imposing further limitations on the diversion and use of water by the permittee in order to protect public trust uses. No action will be taken pursuant to this paragraph unless the Board determines, after notice to affected parties and opportunity for hearing, that such action is consistent with California Constitution Article X, Section 2; is consistent with the public interest and is necessary to preserve or restore the uses protected by the public trust. (0000012)

Dated: JANUARY 10 1989


Walter G. Pettit, Chief
Division of Water Rights